

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:15-CV-177-FL

MILTON SC MAYS,

Plaintiff,

v.

RAYNOR AND ASSOCIATES; and
RICHARD RAYNOR,

Defendants.

ORDER

This matter is before the court on the memorandum and recommendation (“M&R”) of Magistrate Judge James E. Gates, pursuant to 28 U.S.C. § 636(b)(1)(C) and Fed. R. Civ. P. 72(b), wherein it is recommended that the court dismiss plaintiff’s complaint on frivolity review under 28 U.S.C. § 1915(e)(2)(B). Plaintiff did not object to the M&R. The magistrate judge determined that plaintiff’s action related to an inspection of his Section 8 housing was barred by the doctrine of res judicata, where plaintiff previously litigated the same cause of action in Mays v. Raynor Builders of Louisburg et al., No. 5:14-CV-27-BO (E.D.N.C.), and where plaintiff failed to allege facts to state a claim under the Fair Housing Act, 42 U.S.C. § 1983, and RICO, 18 U.S.C. § 1964(c). Upon careful review of the M&R and the record generally, finding no error in this determination, the court ADOPTS the findings and recommendations of the magistrate judge. This action is DISMISSED pursuant to 28 U.S.C. § 1915(e)(2)(B). The clerk is directed to close this case.

SO ORDERED, this the 5th day of November, 2015.



LOUISE W. FLANAGAN
United States District Judge